

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fabrice Vitry
Serial Number: 09/880,525
Filed: June 13, 2001
For: LOAD FLOOR LATCH
Art Unit: 3677
Examiner: Matthew E. Rodgers
Attny. Docket: 145-01

RESPONSE TO DECISION ON ELECTION OF SPECIES

Commissioner Of Patents
Washington, D.C. 20231

Sir:

This is a response to a further requirement for restriction, dated February 26, 2003, to which a ONE MONTH period for response was set to expire on March 26, 2003.

The Examiner has replied that applicant's response dated November 22, 2002 was not fully responsive and now has required applicant to elect between species, subspecies and sub-subspecies applicant recited in his previous response in respect to Figures 1-44.

Applicant hereby elects Species I, the embodiment of Figure 1 (Figures 1-24). Applicant further reserves his right to reintroduce into this application, any of the subspecies of Figure 25 (Figures 25-32), the subspecies of Figure 33 (Figures 33-40), and the sub-subspecies of Figure 41 (Figures 41-44), should claims be allowed which read on same.

Furthermore, applicant reserves his right to reintroduce into this application dependent claims specific to any non-elected species which depend from any allowed claim and contain all of the limitations thereof.

Remarks on the Nine Species Addressed by the Examiner:

The difference between Species I (Figs. 1-24) and subspecies II (Figs. 25-32) is that subspecies II introduces the cutout 217 in the lid cover (compare Fig. 29 to Fig. 20) and changes the incline 78 "stop" for the spring 60/260 to a bar 280 (compare Fig. 31 to Fig. 20). This bar 280 fits into grooves in the sidewalls of the spring's encasement in the lid. The bar 280 is positioned beneath the cutout 217.

Subspecies III differs from species I in that the incline 78 spring "stop" is changed to a downwardly projecting abutment wall 390 and the same spring 60/260 connected to the same ramped pawl 64/264/362 has its tail 62 at its free end cut off (compare Fig. 39 to Fig. 20). Subspecies III, like species I, does not have a cutout 217 in the lid cover that is shown in subspecies II.

Sub-subspecies IV is a "sub-subspecies" of subspecies II. Sub-subspecies IV has the same lid cover with the same cutout shown for subspecies II (compare Fig. 42 to Fig. 29). This embodiment IV has the same "stop" bar 484 as is shown in embodiment II (compare bar 484 and 280). Further embodiment IV has the same "tail" 262 at the free end of the spring which is received by the bar 484 (see page 19, lines 1-4 with respect to Fig. 31). Sub-subspecies IV departs from subspecies II in that the V-shaped self positioning tabs 69A, 71A (see Figs. 12-13, 27, 35 for embodiments I, II, and III, respectively) are changed to snap-in shafts 446, 448 (see Fig. 43).

Species IV departs from embodiments I-IV, in that the spring shape 588, 590 terminates in fewer folds, the ramped pawl shape 586, 586A, 594, 592 differs, a link element 542 is introduced, and a T-shaped housing 512 is introduced (see Figs. 45, 47, 49, 53).

Species VI departs from embodiment V in that the spring 670 is further shortened to one fold and the pawl 674 differs (see Fig. 67). The housing includes a pair of side snap legs 626 and a drop portion that terminates in the housing tail 642 (see Fig. 69).

Species VII departs from the other embodiments in that the circular pull 714 connects to a vertically extending flexible arm (living spring 716) also connected to the pawl 718 (see

Fig. 78). The snap-in base 726 hook 730 engages a opposite edge 742 mating hook to lift a lid 738 (see Figs. 83, 84, 86).

Species VIII is a variation of embodiment VII which departs in its handle, release button and ejector structure. This embodiment uses two compressions springs 868 and 870 to bias the button 814 outwardly and to eject the load floor 856 upwardly (see Fig. 102).

Species IX is identical to the embodiment VIII except the ejector 816 and the ejector spring 870 are removed (compare Figs. 101-102 to Figs. 108-109).

Remarks on Elected Species to Claims:

Claims 1 and 25 recite the invention shown in Figs. 1, 25, 33, 41, 45, 58, 78, 88, and 103 (the Examiner's recited embodiments I-IX).

Claims 1-9 recited the invention shown in Figs. 1, 25, 33, and 41 (the Examiner's recited embodiments 1-IV).

Applicant herein above elected the embodiment (I) of Fig. 1 et seq. If any of the claims 1-9 and 25 are determined allowable, or upon the allowance of a claim generic to more than one specie/ subspecies/ sub-subspecies, applicant hereby preserves his rights to introduce claims for consideration of claims to additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim.

The claims in this application have been re-numbered 1-33. Any new claims added to this application will begin with the number "34".

Date:

3/26/03

Order No.

1352

Respectfully submitted,
Paul & Paul

by: John J. Simkanich

Regis No. 26, 036

2900 Two Thousand Market Street

Philadelphia, PA 19103

(215)568-4900

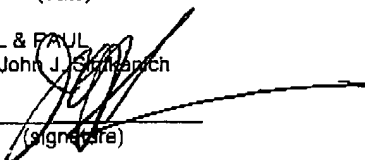
FAX 215-567-5057

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the US Patent Office, to Fax number **703-872-9326** on the date identified below, and addressed to the attention of **Examiner Matthew E. Rodgers**, and identifying application number, art unit, title of the invention, and the applicant as written above.

on 3/26/03
(date)

PAUL & PAUL
by: John J. Stuchlik


(signature)

MAR 27 2003

PATENT GROUP 3600

Official

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fabrice Vitry
Serial Number: 09/880,525
Filed: June 113,2001
For: LOAD FLOOR LATCH
Art Unit: 3677
Examiner: Matthew E. Rodgers
Attny doc: 145-01

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence titled: Response to Decision on Election of Species is being facsimile transmitted to the United States Patent and Trademark Office, to Fax No. 703-872-9326 to Examiner Rodgers regarding Ser No 09/880,525, this FAX transmission being sent on March 26, 2003


John J. Simkanich, Reg. No. 26,036
Dated: March 26, 2003

Commissioner for Patents
Washington, DC 20231

COVER LETTER WITH CERTIFICATE OF FACSIMILE TRANSMISSION

Sir:

Attached hereto are the following documents:

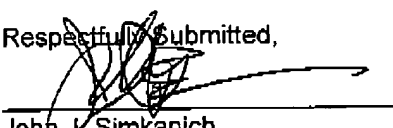
- 1) Foregoing fax cover sheet (1 page);
- 2) This cover letter with Facsimile Certification (1 page); and
- 3) Response to Decision on Election of Species (4 pages).

No additional fees are believed to be required. In the event that an additional fee is required with respect to this communication, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Paul & Paul Deposit Account No. 16-0750.

Date: March 26, 2003

Order no. 1352

Respectfully Submitted,


John J. Simkanich
Registration No. 26,036
Paul & Paul
2900 Two Thousand Market Street
Philadelphia, PA 19103
(215) 568-4900
(FAX) 215-567-5057

FAX RECEIVED

MAR 27 2003

HENRY N. PAUL, JR.
1925-1987
E. ARTHUR THOMPSON
1957-1992

JAMES C. MCCONNON
JOHN F. McNULTY
ALEX R. SLUZAS
OURMAZD S. QJAN*
JOHN J. SIMKANICH
DEREK S. JESSEN**

* ADMITTED IN FLORIDA ONLY
** ADMITTED IN NEW JERSEY,
NEW YORK AND FLORIDA

LAW OFFICES OF
PAUL & PAUL
2900
TWO THOUSAND MARKET STREET
PHILADELPHIA, PA. 19103
(215) 568-4900

GROUP 3600
PATENTS, TRADEMARKS, COPYRIGHTS
AND
INTELLECTUAL PROPERTY CAUSES
FAX 215-567-5057
INTERNET: paulandpaul@compuserve.com

Official

FAX COVER SHEET
to

The United States Patent and Trademark Office

Date: MARCH 26, 2003

To FAX number: 703-872-9326

Please deliver this transmission to:

Name: EXAMINER MATTHEW E. RODGERS AU.3677

From: JOHN SIMKANICH

Total number of pages transmitted including this cover sheet: 6

If you do not receive all pages, please call: PAUL & PAUL

at: telephone: (215) 568 - 4900
Fax: (215) 567-5057

WARNING

The information contained in this Facsimile message is attorney privileged and confidential information intended only for the use of the intended recipient named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this facsimile message or any part thereof is strictly prohibited. If you have received this communication in error, please notify us by telephone and return the original message to us at the above address by ordinary mail. We will reimburse your mailing expense.

Serial no./ matter number: 09/880,525

Applicant/ Petitioner/ Party: FABRICE VITRY

Control/ confirmation no. (if applicable): _____

Examiner/ Attorney/ Judge: M. RODGERS

Art unit/ Law Office/ Location: 3627

In re. matter/ title: LOAD FLOOR LATCH

Title of paper attached: RESPONSE TO DECISION ON ELECTION OF SPECIES

Attny doc: 145-01 Order no: 1352